

REMARKS

Applicants respectfully request reconsideration of the application in view of the following remarks and amendments.

Rejection Under 35 USC § 101

The Office rejected Claims 1-36 under 35 U.S.C. §101 as being directed to non-statutory subject matter. Without conceding the propriety of the rejection, and only to advance prosecution of this matter, Applicants have amended Claims 1-36 and respectively submit that Claims 1-36 recite a computer readable medium constituting statutory subject matter under 35 U.S.C. §101. Applicants respectfully request reconsideration of the rejection.

Rejection Under 35 USC § 102

The Office rejected Claims 1, 2 and 12 under 35 U.S.C. §102(e) as being anticipated by Perry et al. U.S. Patent 6,945,780 (herein after Perry). Applicant respectfully traverses the rejection.

Claim 1 as amended, recites:

1. A computer readable media containing computer readable instructions that, when executed by a computer processor, provide a graphical user interface input device for creating and editing a simulation model, the device comprising:

a first component configured to enter and edit platforms and associated attributes, wherein the platforms have been determined to be included within the simulation model;

a second component configured to enter and edit commodities;
and

a third component configured to perform one of assigning or removing a commodity to or from a platform.

Perry (U.S. 6,945,780)

Perry discloses an integrated evaluation and simulation system to evaluate the design decisions and requirements of weapon systems. Thus allowing a system designer to evaluate and optimize the overall weapon systems performance by manipulating the weapons systems inputs and parameters. The virtual simulation system may also test the combat effectiveness of an existing weapon system. (Column 2, lines 39-54) The architecture of the system includes a graphical user interface, a virtual simulation system interface, a causal network model of a weapon system being studied, a control system and at least one virtual simulation system. (Column 3, lines 25-31)

The Applicants submit that Perry fails to disclose each and every element of Claim 1. First, Perry fails to disclose a “first component configured to enter and edit platforms and associated attribute” as recited in Claim 1. (Emphasis added) Perry discloses that “The integrated evaluation and simulation system implements modular software architecture down to the equipment component level...” (Column 6, line 5-8) Perry further discloses that “The ground combat vehicle embodiment implements modular software architecture down to the vehicle component level.” (Column 9, lines 25-26) (Emphasis added) Thus, Perry discloses that its simulation system can simulate a weapons system down to the vehicle’s component level. In contrast, Applicants disclose that “at block 86, a user assesses logistics requirements for a simulation operation. At block 88, the user identifies all ... platforms and commodities included within the assessed simulation operation.” (Page 4, lines 17-21) Applicants further disclose that “an

end user reviews and edits...quantities or other values (attributes) associated with the changeable platforms and commodities. For example, a truck is a platform and miles per gallon and payload carrying capabilities are attributes of the truck." (Page 4, lines 32-35) (Emphasis added) Thus the Applicant's logistics simulation enters and edits platforms (e.g., trucks) and associated attributes (e.g., miles per gallon and carrying capabilities). While Perry's simulation system simulates a weapons system down to the equipment component level. Thus, Perry fails to disclose "first component configured to enter and edit platforms and associated attribute" as recited in Claim 1. (Emphasis added)

Second, Perry fails to disclose "a second component configured to enter and edit commodities" as recited in Claim 1. (Emphasis added) Perry discloses that Figures 7 through 12 are illustrations of various menu windows of one embodiment relating to a ground combat vehicle. (Column 5, lines 24-26) Moreover, Figure 10 of Perry depicts six options: MBT-Tracked, Light Tank Tracked, Light Tank Wheeled, IFV – Tracked, IFV – Wheeled and Other Vehicles. In contrast, Applicants disclose that "The status area 332...is portioned into quadrants for each commodity (Personnel, Water, Petroleum, Oil and Lubricants or Fuel (POL) and Ammo) (Page 8, lines 11-14) The Applicants define commodities as: personnel, water, POL and ammo. While Figure 10 of Perry discloses the various combat vehicles that maybe selected. Thus, Perry fails to disclose "a second component configured to enter and edit commodities" as recited in Claim 1. (Emphasis added)

Finally, Perry fails to disclose "a third component configured to perform one of assigning or removing a commodity to or from a platform" as recited in Claim 1.

(Emphasis added) Perry discloses that “the main menu window 22 provides the button for selecting the mode of operation and the button for starting the simulation. The main menu window 22 also provides a quickview window feature 23.” (Column 10, lines 47-52) (Emphasis added) As previously noted, commodities are personnel, water, POL and ammo. Thus, Perry fails to disclose “a third component configured to perform on of assigning or removing a commodity to or from a platform” as recited in Claim 1. (Emphasis added)

Accordingly, Applicant respectfully submits that Claim 1 is allowable over Perry.

Claims 2 and 12

Claims 2 and 12 depend from independent Claim 1 and are allowable at least do to their dependency from Claim 1.

Claims 3-11 rejected under 35 U.S.C. §103(a)

The Office rejected Claims 3-11 under 35 U.S.C. §103(a) as being unpatentable over Perry. Applicants respectfully traverse this rejection.

Claims 1 -11 as amended, recite:

1. A computer readable media containing computer readable instructions that, when executed by a computer processor, provide a graphical user interface input device for creating and editing a simulation model, the device comprising:

a first component configured to enter and edit platforms and associated attributes, wherein the platforms have been determined to be included within the simulation model;

a second component configured to enter and edit commodities;
and

a third component configured to perform one of assigning or removing a commodity to or from a platform.

2. The computer readable media of Claim 1, further comprising a fourth component configured to create and edit a scenario. (Emphasis added)

3. The computer readable media of Claim 2, wherein the fourth component further comprises a fifth component configured to add a pulse to the scenario. (Emphasis added)

4. The computer readable media of Claim 3, wherein the fourth component further comprises a sixth component configured to delete a pulse from the scenario. (Emphasis added)

5. The computer readable media of Claim 4, wherein the fourth component further comprises a seventh component configured to view details of a pulse associated with the scenario. (Emphasis added)

6. The computer readable media of Claim 3, wherein the fourth component includes a sixth component configured to add a platform to a pulse. (Emphasis added)

7. The computer readable media of Claim 3, wherein the fourth component includes a sixth component configured to delete a platform from a pulse. (Emphasis added)

8. The computer readable media of Claim 3, wherein the fourth component further includes a sixth component configured to add a segment to a pulse. (Emphasis added)

9. The computer readable media of Claim 8, wherein the fourth component further includes a seventh component configured to delete a segment from a pulse. (Emphasis added)

10. The computer readable media of Claim 9, wherein the fourth component further includes an eighth component configured to view details of a segment. (Emphasis added)

11. The computer readable media of Claim 8, wherein the first component is further configured to perform one of define or edit attributes of a platform based on at least one of a segment or a pulse. (Emphasis added)

Claim Elements

Applicants submit that the Office has failed to show that each and every element of Claims 3 through 11 are taught or suggested by Perry. As previously noted, Perry does

not teach each and every element of Claim 1. Claims 3-11 depend from independent Claim 1 and are allowable at least due to their dependency from Claim 1.

Motivation to Combine

Applicants also submit that the Office has failed to establish a suggestion or motivation for one of ordinary skill in the art to modify Perry by adding a component to add or delete a pulse to a scenario; to view details of a pulse, to add or delete a pulse to a scenario, add or delete a segment to a pulse, or define attributes of a platform or segment added to a pulse.

The reasoning provided by the Office:

“These limitations would have been obvious to one of ordinary skill in the art having the teachings of Perry in front of them...because Perry teaches that through the graphical interface the user can access the dependencies mode and identify attributes and parameters that are assigned within the model and add, delete, values as they choose.”

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Contrary to the Offices statement, the Applicants do define “pulse” and “segment”. Applicants disclose that “the stages or pulses of the scenario and the operational requirements or segments of the pulse are all previously defined by an assessment of the logistic requirements of the operation that is to be simulated...” (Page 6, lines 30-35) Moreover, the pulse window 224 of Figure 5 discloses that a pulse may be an early entry ops, center of gravity, pursuit, urban assault or air mech assault. (Emphasis added) Thus, a “pulse” represents a stage of an operational scenario (e.g., early entry ops, pursuit, urban assault, etc..). Applicants also disclose that “segment window 228...presents in a scroll down window all the segments associated with the platform (vehicle) highlighted”. (Page 7, lines 6-9) The segment window 228 of Figure 5

discloses that the segments associated with a highlighted platform may include: primary offense, secondary offense, cross country offense, idle offense or primary defense.

(Emphasis added) Thus a “segment” represents the operational requirements associated with a platform (e.g., primary offense, secondary offense, cross country offense, idle offense or primary defense, etc.)

The Office stated that “Perry teaches that data structures are sent to simulation model that performs a simulation of a weapon in a real world scenario.” (Office action page 5) Perry itself discloses that “the purpose of the ground vehicle embodiment is to design an optimal ground combat vehicle as measured by the vehicle’s combat effectiveness and given specific performance requirements and constraints for cost and weight” (Column 9, lines 5-10) Moreover, “Figure 15 illustrates a calculation of vehicle mobility performance parameters or the process by which the vehicles mobility performance is calculated.” (Column 13, line 29-30) Finally, Figures 7 through 12 are illustrations of various menu windows of one embodiment relating to a ground combat vehicle (Column 5, line 25-27) (Emphasis added)

Contrary to the Offices assertion, Perry discloses the simulation of a combat vehicle to determine its “combat effectiveness”. There is no teaching or suggestion of adding, deleting or viewing a “pulse” to an operational scenario or a “segment” to a platform. Any motivation or suggestion comes from the Applicant’s disclosure, and not from the teachings of Perry.

Claims 13 – 49 rejected under 35 U.S.C. §103(a)

The Office rejected Claims 13-49 under 35 U.S.C. §103(a) as being unpatentable over Perry in view of Sinex et al "Linking Warfighting and Logistics" 2000 (hereinafter Sinex). Applicants respectfully traverse this rejection.

Claims 13, 20, 37 and 43, as amended, recite:

13. A computer readable media containing computer readable instructions that, when executed by a computer processor, provide a graphical user interface output device for presenting a directory structure for a logistics model, the directory structure comprising:

a plurality of organizational units, wherein each organizational unit is organized by the command organization to which each organizational unit reports; and

one or more platform directory structures, wherein each platform is organized by the organizational unit that each platform reports to.

20. A computer readable media containing computer readable instructions that, when executed by a computer processor, provide a graphical user interface for creating and editing a simulation model and presenting the simulation model, the graphical user interface comprising:

a first component configured to enter and edit platforms and associated attributes, wherein the platforms have been determined to be included within the simulation model;

a second component configured to enter and edit commodities;

a third component configured to perform one of assigning or removing a commodity to or from a platform; and

a directory structure comprising:

a plurality of organizational units, wherein each organizational unit is organized by the command organization to which each organizational unit reports; and

one or more platform directory structures, wherein each platform is organized by the organizational unit that each platform reports to.

37. A method for presenting a model simulated within a scenario, the method comprising:

presenting a directory structure comprising:

a plurality of organizational units, wherein each organizational unit is organized by the command organization to which the organizational unit reports; and

one or more platform directory structures, wherein each platform is organized by the organizational unit that each platform reports to.

43. A computer system comprising:
a processor for executing a simulation model with respect to a scenario;
a display device coupled to the processor, the display device configured to display a directory structure comprising:
a plurality of organizational units, wherein each organizational unit is organized by the command organization to which each organizational unit reports; and
one or more platform directory structures, wherein each platform is organized by the organizational unit that each platform reports to.

Sinex

Sinex discloses the development of the Warfighting Logistics Technology and Assessment Environment (WLTAE) project which showed that existing war fighting and logistics models could be linked in high level distributed simulations.

Claim Elements

Applicants submit that the Office has failed to show that each and every element of Claims 13 - 49 are taught or suggested by Perry and Sinex.

First, Perry and Sinex fail to disclose *“a directory structure comprising: a plurality of organizational units, wherein each organizational unit is organized by the command organization to which each organizational unit reports”* as recited in Claims 13, 20, 37, and 43. (Emphasis added) Sinex discloses that “the TPFDD contains...information such as the *specific warfighting units that will be deployed to the theater*, the transportation routes and modes (land, air and/or sea transportation) the units will take...” (Page 290, left side) Moreover, Figure 4 of Sinex depicts the Warfighting Logistics Technology and Assessment Environment (WLTAE) objects and attributes that were used in the initial WLTAE federation. (Page 293). Neither Perry nor Sinex discloses

a directory structure comprising: a plurality of organizational units, wherein each organizational unit is organized by the command organization that each organizational unit reports to as recited in Claims 13, 20, 37, and 43. (Emphasis added)

Second, Perry and Sinex fail to disclose “a directory structure comprising: one or more platform directory structures, wherein each platform is organized by the organizational unit that each platform reports to”, as recited in Claims 13, 20, 37, and 43. (Emphasis added) Perry discloses that “the virtual simulation system interface 30 returns data structures for a virtual simulation system 60 to the control system 50 and user interface 20. This information can include...vehicle acquisition statistics, a killer victim scoreboard, a distribution of shots and a loss exchange ratio.” (Column 8, 7-12) As noted, Figure 10 of Perry discloses “a menu window of one embodiment relating to a ground combat vehicle” (Column 5, line 25-26) Neither Perry nor Sinex discloses “a directory structure comprising: one or more platform directory structures, wherein each platform is organized by the organizational unit that each platform reports to”, as recited in Claims 13, 20, 37, and 43. (Emphasis added)

Motivation to Combine

Applicants also submit that the Office has failed to establish a suggestion or motivation for one of ordinary skill in the art to modify Perry with Sinex.

The reasoning provided by the Office:

“It would have been obvious to one of ordinary skill in the art...to modify the system of Perry to include data attributes of an organization where a user can select a given unit from a list. The motivation to combine Sinex with Perry comes from the suggestion in Sinex to provide not only the logistics of a given weapon or organization but also to link it to the warfighting scenario (see page 290, left)”

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As previously noted, Perry discloses an integrated evaluation and simulation system to evaluate the design decisions and requirements of a weapon system. (Column 2, 39-43) Sinex discloses that the Warfighting Logistics Technology and Assessment Environment (WLTAE) demonstrated that existing logistics and warfighting models could be linked in high level architecture distributed simulations. (Page 288)

Conceding for the purpose of argument that both references discuss battlefield simulations, Perry and Sinex are not analogous art. Perry discloses the use of modeling to optimize a weapon systems design. In contrast, Sinex discloses that logistics and warfighting models could be linked. One skilled in the art would not combine Perry with Sinex since Perry is concerned with optimizing a weapons system while Sinex is concerned with the logistical support of a military operation.

The motivation suggested by the Office “to provide not only the logistics of a given weapon or organization but also to link it to the warfighting scenario” is not need by Perry. Perry is concerned with the “combat effectiveness” of a weapon system as determined by its “design parameters”. Perry is not concerned with modeling a weapon systems logistics. The combination proposed by the Office results from an impermissible reconstruction of the cited art, performed in hindsight based on the Applicants disclosure.

Claims 14 – 19, 21-36, 38-42 and 44-49

Claims 14–19, 21-36, 38-42 and 44-49 depend from independent Claims 13, 20, 37, and 43 and are allowable at least due to their dependency from Claims 13, 20, 37, and 43.

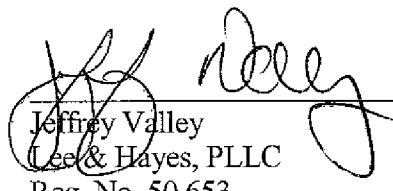
Conclusion

Applicants respectfully submit that Claims 1-49 are in condition for allowance.
Applicants respectfully request reconsideration and issuance of the subject application.
Should any matter in this case remain unresolved, the undersigned respectfully requests a
telephone conference with the Examiner to resolve any outstanding matters.

Respectfully Submitted,

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